

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

BRIAN RICHARD FARRELL,

Defendant.

NO. CR15-029RAJ

STIPULATED MOTION FOR ENTRY OF  
DISCOVERY PROTECTIVE ORDER

The United States of America, by and through Annette L. Hayes, United States Attorney for the Western District of Washington, Thomas M. Woods, Assistant United States Attorney for said District, Defendant, BRIAN FARRELL, and his attorney, Nancy Tenney, file this motion for entry of a Discovery Protective Order.

The discovery materials the government intends to produce pursuant to its discovery obligations under Federal Rule of Criminal Procedure 16 and *Brady*, include law enforcement sensitive items related to ongoing investigations. Access to these materials could seriously jeopardize those continuing investigations.

The government requests that the Discovery Protective Order require that discovery items identified in the Discovery Log as “Protected Material” are not disseminated to anyone other than counsel and members of his litigation and investigative team. As proposed in the Protective Order, defense counsel and his litigation team may

1 show and display the items listed and marked as Protected Material to the Defendant, but  
2 may not provide a copy of the Protected Material to the Defendant or to third parties to  
3 keep and maintain in their possession.

4 The parties further agree that the Defendant may petition the Court to request  
5 modification or termination of the Protective Order upon further review of the Protected  
6 Materials.

7 Any Protected Material that is filed with the Court in connection with pre-trial  
8 motions, trial, sentencing, or other matter before this Court, shall be filed under seal and  
9 shall remain sealed until otherwise ordered by this Court. This does not entitle either  
10 party to seal their filings as a matter of course. The parties are required to comply in all  
11 respects to the relevant local and federal rules of criminal procedure pertaining to the  
12 sealing of court documents.

13 Any violation of any term or condition of the Proposed Order by the Defendant,  
14 his attorney(s) of record, any member of the defense team, or any attorney for the United  
15 States Attorney's Office for the Western District of Washington, may be held in contempt  
16 of court, and/or may be subject to monetary or other sanctions as deemed appropriate by  
17 this Court.

18 This Motion and the proposed Protective Order is submitted for the purpose of  
19 insuring that sensitive information contained in the discovery and/or any matters  
20 occurring before the grand jury are not disseminated to third parties. For these reasons,

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1 the United States and BRIAN FARRELL request this Court to authorize the proposed  
2 Discovery Protective Order.

3 Dated this 10<sup>th</sup> day of December, 2015.

4 Respectfully submitted,  
5 ANNETTE L. HAYES  
6 United States Attorney  
7

8 /s/ Thomas Woods  
9 THOMAS WOODS  
10 Assistant United States Attorney  
11 700 Stewart Street, Suite 5220  
12 Seattle, WA 98101-1271  
13 Phone: (206) 553-7970  
14 Fax: (206) 553-0755

15 /s/ Nancy Tenney  
16 NANCY TENNEY  
17 Attorney for Brian Farrell  
18 Per email authorization  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 10, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney(s) of record for the defendant(s). I hereby certify that I have served the attorney(s) of record for the defendant(s) that are non CM/ECF participants via telefax.

/s/ Salee Porter  
SALEE PORTER  
Paralegal  
United States Attorney's Office  
700 Stewart Street, Suite 5220  
Seattle, WA 98101  
Phone: (206) 553-4345  
Fax: (206) 553-4440  
E-mail: Salee.Porter@usdoj.gov